

REMARKS

Claims 1-5, 23-28, 42, 44, and 48 are pending in this application.

Claim 1 is amended, removing the last clause in the claim that was previously removed in the response filed December 18, 2007, but inadvertently added back in the response filed on November 10, 2008. All other references to a “ticket printer” are also deleted from the claim.

Claim 1 is also amended, adding the features of “said operational event controller being programmed to periodically check with a gaming apparatus to determine if an operational event has occurred” and “said controller being programmed to receive periodic checks from said operational event controller.” Support for this amendment is found, for example, on page 27, lines 26-29 of the as-filed application. No new matter has been added.

The remaining claims are unchanged.

Rejections under 35 U.S.C. § 103

In the Office Action, the following claim rejections under 35 U.S.C. § 103 were made:

- Claims 1-5, 23-28, 42, and 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Letovsky et al., U.S. Patent Publication No. 2002/0151363 (Letovsky) in view of McGovern et al., U.S. Patent Publication No. 2004/0186858 (McGovern).
- Claim 48 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Letovsky and McGovern, and further in view of Official Notice.

Claim 1, as amended, recites, in part, the following features: a server computer, a network computer, and a plurality of gaming apparatuses. The network computer includes an operational event controller:

said operational event controller being programmed to periodically check with a gaming apparatus to determine if an operational event has occurred;

 said operational event controller being programmed to retrieve operational event data,

 said operational event controller being programmed to permanently store said operational event data on said data storage device, and

 said operational event controller being programmed to communicate said operational event data to said server computer upon a request from said server computer for said operational event data. (Claim 1).

The network computer also comprises “a single-write data storage device.” (Claim 1). Each gaming apparatus of the plurality of gaming apparatuses comprises a controller, “said controller being programmed to communicate said operational event data to said operational event controller.” (Claim 1).

Letovsky describes an apparatus that allows a player remotely located from wagering devices to make wagers on the wagering devices using funds on deposit in an account.

(Abstract). Letovsky does not, however, describe a server computer, a network computer, and a plurality of gaming apparatuses that function as recited in claim 1.

The Office Action does not specifically equate features of claim 1 to features described in Letovsky. As best as Applicants can determine, the Office Action equates the “event archive backup library server” 15 (Letovsky) with the “network computer” (Claim 1) and the “routing/traffic management server” 90 (Letovsky) with the “server computer” (Claim 1). (See, e.g., Figure 1). The event archive backup library server of Letovsky may archive video “capture of significant time-stamped frames of game play . . . to establish a visual record of a specific wagering device 50 used at a given time by a remote player.” (Paragraph 0027). Nowhere, however, is the event archive backup library server described as having an “operational event controller,” as recited in claim 1.

The capabilities of the operational event controller as recited in claim 1 are stated above. For example, the operational event controller is “programmed to retrieve operational event data.” (Claim 1). Thus, the operational event controller is an active component in that it retrieves operational event data. To retrieve operational event data, the operation event controller may periodically check with the controller in the gaming apparatus to determine if an operational event has occurred. (Claim 1 and page 27, lines 26-29). In contrast, the event archive backup library server described in Letovsky is a passive component; it only serves as a storage device for video capture.

If, instead, the “routing/traffic management server” 90 (Letovsky) is equated to the “network computer” (Claim 1), the routing/traffic management server likewise does not include the functions of an “operational event controller” as recited in claim 1. The routing/traffic management server serves a few purposes, as described in Letovsky: controlling a group of wagering devices (Paragraph 0017); managing the gaming servers (Paragraph 0025); polling the gaming servers in order to determine availability (Paragraph 027); querying a player’s account in a financial server (Paragraph 0027). Further functions of the routing/traffic management server are described in paragraphs 0029, 0030, and 0045. Nowhere, however, is the routing/traffic management server described as having an operational event controller that functions as recited in claim 1. For example, routing/traffic management server in Letovsky does not “periodically check with a gaming apparatus to determine if an operational event has occurred” as recited in claim 1. From Figure 1 in Letovsky, it does not appear that the routing/traffic management server is able to even communicate with a gaming apparatus.

Furthermore, claim 1 recites that the network computer comprises a “single-write data storage device.” This single-write data storage device may be a “device which may be written with data once, but not alterable or erasable once the data is written (i.e., write-once, read-only).” (Page 14, lines 32-34). The Office Action finds a “permanent data storage device” in Letovsky’s event archive backup library server. (Office Action, page 3, first paragraph). Letovsky does

describe storage of video data in the event archive backup library server, but nowhere does Letovsky describe this as data storage being performed with a “permanent data storage device.”

Letovsky also describes storing a “permanent record” of game play records and accounting on the accounting server 92. (Paragraphs 0045 and 0064). The accounting server, however, like the event archive backup library server, does not include an operational event controller “programmed to retrieve operational event data.” The accounting server appears to be a passive component, similar to the event archive backup library server.

McGovern is cited for its teachings with respect to a write-once device to permanently store data on a network system, but not with respect to the features discussed above. Because the Office Action does not set forth a rejection of these features in view of McGovern, the claims are patentable for the reasons set forth above.

Thus, as explained above, Letovsky and McGovern, considered alone or in combination, fail to disclose the features discussed above in claim 1. Claim 1 is therefore not obvious in view of Letovsky and McGovern.

Dependent claims 2-5, 23-28, 42, and 44 incorporate the features of independent claim 1. These dependent claims are patentable for at least the same reasons as claim 1.

Furthermore, at least some of the above-referenced dependent claims are patentable on their own merits. For example, as discussed above, nowhere does Letovsky describe an “operational event controller,” much less an operational event controller that “is programmed to communicate said operational event data to a particular server computer based on said data type.” (Claim 2).

Regarding claim 48, the Official Notice taken by the Examiner in the rejection of this claim does not cure the deficiencies with respect to Letovsky and McGovern noted above. Therefore, claim 48 is patentable for at least the same reasons as claim 1.

Conclusion

The claims are believed to be in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call the undersigned attorneys at (510) 663-1100.

Applicants do not believe that any additional fees are required to facilitate the filing of this Amendment. However, if it is determined that such fees are due, please charge such additional fees to Deposit Account No. 504480 (Order No. IGT1P545).

Respectfully submitted,
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